

AMENDED IN SENATE MARCH 29, 2005

**SENATE BILL**

**No. 838**

---

**Introduced by Senator Escutia**

February 22, 2005

---

An act ~~relating to the environment~~ to add Part 4.2 (commencing with Section 71320) to Division 34 of the Public Resources Code, relation to environmental protection.

LEGISLATIVE COUNSEL'S DIGEST

SB 838, as amended, Escutia. ~~Global environmental quality~~ Environmental Cleanup and Pollution Control Technology Registry.

Existing law requires the California Environmental Protection Agency (CAL-EPA) and its constituent agencies to implement and administer various pollution control programs in the state.

This bill would require CAL-EPA, at the earliest possible time, and to the extent that funding is available for this purpose, to establish an environmental cleanup and pollution control technology registry, containing a specified database. The bill would specify the purposes of the registry, and would provide that the information in the registry database may be voluntarily submitted to CAL-EPA by organizations and businesses that elect to participate in the registry. The bill would require CAL-EPA to maintain the registry and to make available the information contained in the database to members of the public, other California and United States businesses, the international environmental community, and to foreign governments or businesses that request assistance with the development of environmental cleanup and pollution control technologies.

The bill would authorize CAL-EPA to charge a reasonable fee to individuals, organizations, or businesses for participation in the registry. The bill would require that any moneys collected from those

*fees be deposited into the Environmental Cleanup and Pollution Control Technology Registry Fund, which the bill would create in the State Treasury, and would authorize the expenditure of those moneys by the agency, upon appropriation by the Legislature, to implement and maintain the registry.*

~~The existing California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared by contract, and certify the completion of, an environmental impact report on a project, as defined, that it proposes to carry out or approve that may have a significant effect on the environment, or to adopt a negative declaration if it finds that the project will not have that effect.~~

~~This bill would make findings and declarations regarding the importance of global environmental quality, and would declare the intent of the Legislature to establish California as a catalyst in building a renewed national commitment to protecting the global environment by initiating activities in specified potential areas of international cooperation.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~ yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     ~~SECTION 1. (a) The Legislature finds and declares all of the~~  
2     ~~following:~~

3     ~~SECTION 1. Part 4.2 (commencing with Section 71320) is~~  
4     ~~added to Division 34 of the Public Resources Code , to read:~~

5  
6     ~~PART 4.2. ENVIRONMENTAL CLEANUP AND POLLUTION~~  
7     ~~CONTROL TECHNOLOGY REGISTRY~~

8  
9     ~~71320. (a) The Environmental Protection Agency shall, at~~  
10    ~~the earliest possible time, and to the extent that funding is~~  
11    ~~available for this purpose, establish an environmental cleanup~~  
12    ~~and pollution control technology registry.~~

13    ~~(b) The purpose of the registry is to establish an information~~  
14    ~~database of California and United States organizations and~~  
15    ~~businesses that have expertise in environmental cleanup~~  
16    ~~processes and pollution control technologies. The information in~~  
17    ~~the registry database may be voluntarily submitted to the agency~~  
18    ~~by organizations and businesses that elect to participate in the~~

1 registry. The agency shall maintain the registry and make  
2 information contained in the database available to members of  
3 the public, other California and United States businesses, the  
4 international environmental community, and any foreign  
5 governments or businesses that request assistance with the  
6 development of environmental cleanup and pollution control  
7 technologies.

8 (c) The agency may charge a reasonable fee to individuals,  
9 organizations, or businesses for participation in the registry. Any  
10 moneys collected from those fees shall be deposited into the  
11 Environmental Cleanup and Pollution Control Technology  
12 Registry Fund, which is hereby created in the State Treasury.  
13 Moneys in the fund may be expended by the agency, upon  
14 appropriation by the Legislature, to implement and maintain the  
15 registry.

16 ~~(1) Despite decades of environmental progress and improved~~  
17 ~~public awareness, strong scientific consensus regarding indicia~~  
18 ~~such as climate change, loss of wildlife, and toxic pollution,~~  
19 ~~reveals that the degradation of the earth continues.~~

20 ~~(2) Increasing world population, spreading industrialization,~~  
21 ~~and rising consumption contribute to enormous pressures on our~~  
22 ~~air, water, and land.~~

23 ~~(3) In our increasingly interdependent world, the impact of~~  
24 ~~environmental deterioration on public health, safety, and~~  
25 ~~economic well-being cross all borders.~~

26 ~~(4) Environmental threats do not recognize national~~  
27 ~~boundaries, and no state or country alone can confront these~~  
28 ~~pressures on our ecosystems and natural resources.~~

29 ~~(5) To protect the global environment, California, along with~~  
30 ~~the rest of the nation, must recognize the empirical data regarding~~  
31 ~~the challenges we face and maximize international cooperation in~~  
32 ~~anticipating and preventing a decline in global environmental~~  
33 ~~quality.~~

34 ~~(6) The complex and interconnected nature of environmental~~  
35 ~~deterioration requires new forms of cooperation between the~~  
36 ~~nation and other countries to prevent those problems from~~  
37 ~~becoming unmanageable.~~

38 ~~(7) California is in a unique position to be able to share its~~  
39 ~~scientific and technical expertise in ways that benefit the nation,~~  
40 ~~as well as other countries.~~

- 1     ~~(b) It is the intent of the Legislature to enact legislation to~~  
2     ~~establish California as a catalyst in building a renewed national~~  
3     ~~commitment to protecting the global environment by initiating~~  
4     ~~activities in potential areas of international cooperation,~~  
5     ~~including all of the following:~~  
6     ~~(1) Environmental education.~~  
7     ~~(2) Solid waste management.~~  
8     ~~(3) Wastewater management.~~  
9     ~~(4) Vehicle emissions control.~~